

Docket No.: 61404-020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Donald J. KERRISH, et al.	:	Confirmation Number:
	:	
Serial No.: Continuation of Appl. No.	:	
09/812,024	:	Group Art Unit:
	:	
Filed: January 28, 2004	:	Examiner:
	:	
For: PROCESS FOR PRODUCING WET RIBAVIRIN PELLETS	:	

INFORMATION DISCLOSURE STATEMENT

Mail Stop Information Disclosure
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

Continuation to **09/812,024**

The majority of the listed references were cited by or submitted to the U.S. Patent and Trademark Office in parent application Serial No. 09/812,024, filed March 19, 2001, which is relied upon for an earlier filing date under 35 USC 120.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "Daniel Bucca", written in a cursive style.

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Date: January 28, 2004

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 61404-020		SERIAL NO.	
				APPLICANT KERRISH, DONALD J., et al.			
				FILING DATE		GROUP	

FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Attached	
		CA-1,261,265	09/26/1989	Smith et al.			
		WO-92/19227	11/12/1992	Martin et al.			
		EP-0 707 855-A2	04/24/1996	Grint et al.			
		WO-96/36351	11/21/1996	Albrecht et al.			
		CA-2,135,669-A1	05/11/1996	Johannesson et al.			
		WO-02/074317-A1	09/26/2002	Kerrish et al.			
		WO-03/039517-A1	05/15/2003	Matharu et al.			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		File wrapper for U. S. Patent No. 6,335,032 to LIEBOWITZ et al. issued 1/12/2002
		BOWEN Declaration in file wrapper for U. S. Patent No. 6,335,032
		File wrapper for U. S. Patent No. 6,337,090 to LIEBOWITZ et al. issued 1/8/2002
		BOWEN Declaration in file wrapper for U. S. Patent No. 6,337,090
		BOTZOLAKIS et al., "The role of disintegrants in hard-gelatin capsules", J. Pharm. Pharmacol. (1984) 36:77-84.
		EGGLESTON, M "Clinical Review of Ribavirin", Clinical Pharmacology of Antibiotics, Infection Control (1987) Vol. 3, No. 5, pp. 215-218
		FERNANDEZ et al., "Ribavirin: A Clinical Overview", European Journal of Epidemiology (1986) Vol. 2, No. 1, pp. 1-14
		HAHN, F.E. "Mechanism of Action of Antieukaryotic and Antiviral Compounds", in: Hahn, F.E., <i>Antibiotics</i> (Springer-Verlag, New York, Volume V, Part 2, 1979) pp. 439-458
		LACHMAN et al., "Theory and practice of Industrial Pharmacy," (Lea & Febiger - Philadelphia 1986) pp. 66-68
		LONGER et al., Remington's Pharmaceutical Sciences, chapter 91, "Sustained-Release Drug Delivery Systems" (Mack Publ. Co., Easton, PA, 1990) pp. 1676-1693
		O'CONNOR, PhD et al., Remington's Pharmaceutical Sciences, chapter 88 "Powders," (Mack Publ. Co., Easton, PA, 1990) pp. 1615-1632
		ORMOS, Z.D. "Granulation and Coating" in: Chulia et al., ed. <i>Powder Technology and Pharmaceutical Processes</i> (Elsevier, New York, 1994) pp. 359-376.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
		Merck Index - An Encyclopedia of Chemicals, Drugs, and Biologicals, Eleventh Edition, Budavari, ed. 1989, p. 1304		
		PARIKH, D. M. ed., <i>Handbook of Pharmaceutical Granulation Technology</i> , Chapters 1, 2, 11 (Marcel Dekker, New York, 1997) pp.1-23 and 333-368.		
		PARROTT, Journal of Pharmaceutical Sciences, entitled, "Densification of Powders by Concavo-Convex Roller Compactor," Publication date, August 28, 1980		
		PORTER, Remington's Pharmaceutical Sciences, "Sustained-Release Drug Delivery System", Chapter 90, (Mack Publ. Co., Easton, PA ,1990) pp 1666-1675.		
		PRUSINER et al., "The Crystal and Molecular Structures of Two Polymorphic Crystalline Forms of Virazole (1-β-D-Ribofuranosyl-1,2,4-triazole-3-carboxamide). A New Synthetic Broad Spectrum Antiviral Agent", Acta Cryst. (1976). B32, 419, pp. 419-426		
		RAVIN et al., Remington's Pharmaceutical Sciences, chapter 75, "Preformulation" (Mack Publ. Co., Easton, PA ,1990) pp. 1435-1450.		
		RUDNIC et al., Remington's Pharmaceutical Sciences, chapter 89, "Oral Solid Dosage Forms," (Mack Publ. Co., Easton, PA ,1990) pp. 1633-1675.		
		SIDWELL et al., "Broad-Spectrum Antiviral Activity of Virazole: 1-β-D-Ribofuranosyl-1,2,4-triazole-3-carboxamide", Science , (August 25, 1972) Vol. 177, No. 4050, pp. 705-706		
		SIDWELL et al., "Ribavirin: An Antiviral Agent", Pharmac. Ther. (1979) Vol. 6, pp. 123-146		
		ICN Pharmaceuticals, Inc. v. Geneva Pharmaceuticals Technology Corp, 272 F. Supp. 2d 1028 (C.D. Cal. 2003)		
EXAMINER		DATE CONSIDERED		

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		US 3,277,520	10/11/1996	Nobuo Nakahara			
		US 3,798,209	03/19/1974	Witkowski, et al.			
		US 3,927,216	12/16/1975	Witkowski et al.			
		US 3,948,885	04/06/1976	Witkowski et al.			
		US 3,976,545	08/24/1976	Witkowski et al.			
		US 4,138,547	02/06/1979	Christensen et al.			
		US 4,211,771	07/08/1980	Witkowski et al.			
		US 5,405,837	04/11/1995	Weber			
		US 5,767,097	06/16/1998	Tam			
		US 5,914,128	06/22/1999	Liebowitz et al.			
		US 5,916,594	06/29/1999	Liebowitz et al.			
		US 6,051,252	04/18/2000	Liebowitz et al.			
		US 6,063,772	05/16/2000	Tam			
		US 6,130,326	10/10/2000	Ramasamy et al.			
		US 6,150,337	11/21/2000	Tam			
		US 6,172,046	01/09/2001	Albrecht			
		US 6,177,074 B1	01/23/2001	Glue et al.			
		US 6,180,639 B1	01/30/2001	Coates et al.			
		US 6,335,032 B1	01/01/2002	Liebowitz et al.			
		US 6,337,090 B1	01/08/2002	Liebowitz et al.			
		US 6,461,605 B1	10/08/2002	Cutler et al.			
		US 6,472,373 B1	10/29/2002	Albrecht			
		US 6,524,570 B1	02/25/2003	Glue et al.			
		US 6,541,014 B2	04/01/2003	Rudnic et al			
		US 20030104050 A1	06/05/2003	Matharu et al.			
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